

Practitioner's Docket No. 701826-055710

PATENT

IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/CA03/00312	06 March 2003	07 March 2002

US SERIAL NO.: 10/506,723 ✓

TITLE OF INVENTION: APPARATUS FOR THE MANUFACTURE OF A
DISPOSABLE ELECTROPHORESIS CASSETTE AND
METHOD THEREOF

APPLICANTS: MIRADOR DNA DESIGN INC.

INVENTORS: SEVIGNY, Pierre; ROY, Dominique

VERIFIED CERTIFICATION OF EXPRESS MAILING DATE

I declare that, on July 25, 2005, I deposited, with the United States Postal Service, in an envelope "Express Mail, Post Office to Addressee," bearing Label Number ER 293 835 694 US, addressed to the "Mail Stop PCT - U.S. Receiving Office, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450," and having an express mail certification that I executed, the following papers:

1. Transmittal Form (PTO-1390) – in duplicate (6 pp.);
2. Copy – Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US) (2 pp.);
3. Declaration/Power of Attorney executed by P. Sevigny and D. Roy (3 pp.);
4. Petition for Extension of Time in duplicate (2 pp.);
5. Check - \$ 795.00; and
6. Return Receipt Postcard.

A copy of these papers from the file of this application is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date: July 25, 2005


Signature

Nicole M. Aguirre
(type or print name of person certifying)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 701826-055710
INTERNATIONAL APPLICATION NO. PCT/CA03/00312		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/506,723
INTERNATIONAL FILING DATE 06 March 2003 (6.03.2003)		PRIORITY DATE CLAIMED 07 March 2002 (7.03.2002)
TITLE OF INVENTION APPARATUS FOR THE MANUFACTURE OF A DISPOSABLE ELECTROPHORESIS CASSETTE AND METHOD THEREOF		
APPLICANT(S) FOR DO/EO/US MIRADOR DNA DESIGN INC.; SEVIGNY, Pierre and ROY, Dominique		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/506,723	INTERNATIONAL APPLICATION NO. PCT/CA03/00312	ATTORNEY'S DOCKET NUMBER 701826-055710
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20. Other items or information:
Copy - Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US); Petition for 4 Month Extension of Time; Check for \$795; Express Mail Cert. No. ER 293835694 US; Return Receipt Postcard.

The following fees have been submitted	CALCULATIONS	PTO USE ONLY																				
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300	\$																					
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))	\$																					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200	\$																					
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500	\$																					
TOTAL OF 21, 22 and 23 =	0.00																					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th style="width: 40%;">RATE</th> </tr> </thead> <tbody> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>x \$250</td> </tr> </tbody> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	- 100 =	/50 =		x \$250	\$	0.00												
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- 100 =	/50 =		x \$250																			
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).	\$	0.00																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 15%;">NUMBER FILED</th> <th style="width: 15%;">NUMBER EXTRA</th> <th style="width: 15%;">RATE</th> <th style="width: 40%;">\$</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>x \$ 50</td> <td>\$</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>x \$200</td> <td>\$</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360</td> <td>\$</td> </tr> </tbody> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total claims	- 20 =		x \$ 50	\$	Independent claims	- 3 =		x \$200	\$	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	\$	0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$																		
Total claims	- 20 =		x \$ 50	\$																		
Independent claims	- 3 =		x \$200	\$																		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$																		
TOTAL OF ABOVE CALCULATIONS =	\$	0.00																				
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.		0.00																				
SUBTOTAL =	\$	0.00																				
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).	\$	0.00																				
TOTAL NATIONAL FEE =	\$	0.00																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	\$	0.00																				
*PETITION FOR EXTENSION OF TIME - 4 MONTH FEE																						
TOTAL FEES ENCLOSED =	\$	795.00																				
	Amount to be refunded:	\$																				
	Amount to be charged	\$																				

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☒ A check in the amount of \$ 795.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0850. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

David S. Resnick
Nixon Peabody LLP
100 Summer Street
Boston, MA 02110-2131



SIGNATURE

David S. Resnick
NAME

34.235
REGISTRATION NUMBER

COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

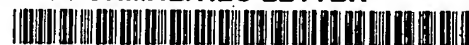
UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/506,723	FIRST NAMED APPLICANT Nixon Peabody LLP	ATTY. DOCKET NO. 701826-055710
<div style="border: 2px solid black; padding: 5px; text-align: center;"> RECEIVED JAN 31 2005 NIXON PEABODY LLP </div>		INTERNATIONAL APPLICATION NO. PCT/CA03/00312
		<table border="1"> <tr> <td>I.A. FILING DATE 03/06/2003</td> <td>PRIORITY DATE 03/07/2002</td> </tr> </table>
I.A. FILING DATE 03/06/2003	PRIORITY DATE 03/07/2002	

Nixon Peabody
 100 Summer Street
 Boston, MA 02110

CONFIRMATION NO. 5174

371 FORMALITIES LETTER



OC000000014985910

Date Mailed: 01/24/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated /Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/07/2004
- Copy of the International Search Report filed on 09/07/2004
- Preliminary Amendments filed on 09/07/2004
- Small Entity Statement filed on 09/07/2004
- Request for Immediate Examination filed on 09/07/2004
- Copy of references cited in ISR filed on 09/07/2004
- U.S. Basic National Fees filed on 09/07/2004
- Priority Documents filed on 09/07/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

COPY

PATRICIA A BOOKER

Telephone: (703) 305-3738

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/506,723	PCT/CA03/00312	701826-055710

FORM PCT/DO/EO/905 (371 Formalities Notice)